

Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12

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FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC 3317
INFO AMEMBASSY BANGKOK

C O N F I D E N T I A L VIENTIANE 2351

E. O. 11652: GDS

TAGS: MOPS, PINS, PINT, PFOR, LA

SUBJECT: CONSTITUTIONAL PROBLEMS RELATED TO FORMATION OF NEW
COALITION GOVERNMENT AND MEANS BY WHICH RLG HOPES TO
CIRCUMVENT THEM.

BEGIN SUMMARY: ALTHOUGH SERIOUS RLG/ LPF NEGOTIATIONS HAVE NOT YET
BEGUN ON FORMATION OF NEW COALITION GOVERNMENT (PGNU), OUTLINES
OF CONSTITUTIONAL DILEMMA NEW PGNU WILL FACE IN GAINING RATIFI-
CATION BY KING ARE ALREADY CLEAR. THIS WEEK, THE KING INDICATED
THAT HE WOULD NOT SIGN A DOCUMENT FORMING THE PGNU UNLESS SOME
UNSPECIFIED SIGNIFICATION OF NATIONAL ASSEMBLY APPROVAL WAS
OBTAINED. FOR THIS PURPOSE, SOUVANNA PLANS TO SEND PHENG
PHONGSAVAN WITH THE VIENTIANE 1973 AGREEMENT AND RELATED PROTO-
COLS, AFTER THEY ARE CONCLUDED, TO INFORM THE NATIONAL ASSEMBLY
AND TO ANSWER QUESTIONS ABOUT THEM. NO OTHER MINISTERS WOULD
APPEAR. SOUVANNA THEN PLANS TO FORWARD THESE DOCUMENTS FOR
PROMULGATION BY THE KING IN ACCORDANCE WITH THE VIENTIANE
AGREEMENT. NATIONAL ASSEMBLY PRESIDENT PHOUI SANANIKONE HAS
INDICATED PRIVATELY THAT HE WILL TRY TO KEEP DEPUTIES FROM
DISRUPTING GOVERNMENT' S PLAN. HE ESTIMATES THAT THE ASSEMBLY
WILL COMPLY AND NOT CHALLENGE PHENG' S PRESENTATION OF THE
DOCUMENTS. INSTEAD PHOUI EXPECTS THE ASSEMBLY CHALLENGE TO THE
PGNU TO OCCUR IN JUNE, WHEN HE BELIEVES THE PGNU WILL FORMALLY
BEGIN TO FUNCTION. END SUMMARY.

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1. FROM CONVERSATIONS WITH FRENCH CHARGE BASTOUIL AND MINISTER OF INTERIOR PHENG PHONGSAVAN AND OTHER SOURCES, WE HAVE PUT TOGETHER FOLLOWING ASSESSMENT OF ATTITUDE OF DEPUTIES TOWARD RECENT GOVT ACTIONS AND HOW RLG WILL ATTEMPT TO GET ASSEMBLY'S APPROVAL FOR FEBRUARY VIENTIANE ACCORDS AND NEW COALITION GOVT.

2. ACCORDING TO FRENCH CHARGE, PRESIDENT OF NATIONAL ASSEMBLY, PHOUI SANANKONE, MET WITH KING LAST WEEK WHERE LATTER REITERATED HIS FORM POSITION THAT IN FORMATION OF NEW COALITION GOVT, LAO CONSTITUTIONAL FRAMEWORK MUST BE RESPECTED. WHEN PHOUI SUGGESTED THAT IN LINE WITH ARTICLE 25 OF THE CONSTITUTION KING CONVOKE AN EXTRAORDINARY SESSION OF THE NATIONAL ASSEMBLY, KING BACKED OFF AND DISCOURAGED SUCH AN INITIATIVE. KING ALSO ADOPTED NEGATIVE ATTITUDE TO PHOUI'S SUGGESTION THAT A JOINT SESSION OF ASSEMBLY AND KING'S COUNCIL BE CONVENED TO DISCUSS FEB VIENTIANE AGREEMENT. THUS, WHILE KING WANTS CONSTITUTION RESPECTED IN THE FORMATION OF A NEW GOVERNMENT, HE HAD NO SUBSTANTIVE SUGGESTIONS ON ACHIEVING THIS OBJECTIVE WHICH WOULD NOT RUN INTO STRONG LPF OPPOSITION.

3. WHEN WE DISCUSSED THESE DEVELOPMENTS ON MARCH 21 WITH MINISTER OF INTERIOR, PHENG PHONGSAVAN, HE SAID THAT HE HAD REVIEWED PROBLEM WITH THE PRIME MINISTER. AS RESULT, PRIME MINISTER IS NOW PLANNING TO PURSUE FOLLOWING STRATEGY: SOUVANNA WOULD DELEGATE PHENG PHONGSAVAN TO PRESENT, IN WRITING, THE VIENTIANE AGREEMENT AND LIST OF NEW COALITION GOVT MEMBERS TO THE NATIONAL ASSEMBLY. THESE DOCUMENTS WOULD NOT BE SUBMITTED TO ASSEMBLY FOR RATIFICATION BUT MERELY FOR INFORMATION. PHENG PHONGSAVAN WOULD APPEAR ALONE TO ANSWER QUESTIONS RAISED BY THE DEPUTIES. ONCE ASSEMBLY HAD "DISCUSSED" THESE DOCUMENTS, LIST OF NEW CABINET MEMBERS WOULD BE FORWARDED TO THE KING IN LUANG PRABANG FOR PROMULGATION AS ROYAL DECREE. PHENG CLAIMED THAT THIS PROCEDURE WAS USED TO FORM COALITION GOVT AFTER 1962 ACCORDS.

4. AT THE NATIONAL ASSEMBLY STANDING COMMITTEE MEETING MARCH 28, PHOUI ALSO REPORTED ON HIS TALKS WITH THE KING. HE TOLD DEPUTIES KING HAD ASKED HIM WHAT WOULD HAPPEN IF ASSEMBLY REJECTED VIENTIANE AGREEMENT AND NEW PGNU. PHOUI SAID HE TOLD KING THE TWO SIDES WOULD RESUME THE WAR. KING REPORTEDLY REPLIED THAT HE DID NOT WANT THAT TO HAPPEN. HOWEVER, PHOUI CONFIRMED THAT KING WAS STANDING FIRM AGAINST SIGNING CABINET LIST NOT ACCOMPANIED BY SOME SIGNIFICATION OF ASSEMBLY APPROVAL. TO
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PREVENT RESUMPTION OF FIGHTING, PHOUI ADVISED STANDING COMMITTEE

TO " REMAIN QUIET FOR TIME BEING," AND NOT OBJECT WHEN AGREEMENT
AND CABINET LIST WERE PRESENTED.

5. IN ANOTHER CONVERSATION, PHOUI TOLD TWO DEPUTIES, WHOM WE
ARE SENDING TO U. S. ON LEADER GRANTS, THAT HE APPROVED OF THEIR
ABSENCE DURING APRIL AND MAY, SINCE NATIONAL ASSEMBLY WOULD NOT
CHALLENGE NEW PGNU UNTIL JUNE, WHEN PHOUI ESTIMATES IT WILL
BEGIN FUNCTIONING.

6. COMMENT: THE THREE PRINCIPAL PLAYERS IN THIS SOMEWHAT ARTIFI-
CIAL CONSTITUTIONAL DRAMA, SOUVANNA, THE KING AND PHOUI, ALL
APPEAR MORE ANXIOUS TO SAVE FACE AND GAIN SOME INTANGIBLE
ADVANTAGE FOR THEIR RESPECTIVE POLITICAL POSTURES THAN TO
CLASH IN SUCH A WAY AS TO OBSTRUCT IMPLEMENTATION OF VIENTIANE
AGREEMENT AND FORMATION OF PGNU. IN THE SEVERAL PARLIAMENTARY
SQUABBLES OF THE PAST FEW YEARS, SOUVANNA HAS
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